

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 18-23089-GLT
: Chapter: 13
Martha Bell :
: :
: Date: 6/5/2019
Debtor(s). : Time: 11:00

PROCEEDING MEMO

MATTER: #52 - Motion to Reconsider Dismissal of Case (Motion for Stay in Bankruptcy Proceedings)
[Response due 5/15/2019]
#66 - Proposed Order filed by Debtor
#68 - Certificate of Service filed by Debtor
#71 - Response filed by Trustee

#58 - Motion For Automatic Stay Of 30 Days In Courts Dismissal of Case
[Response due 5/15/2019]
#67 - Proposed order filed by Debtor
#69 - Certificate of Service
#72 - Response filed by Trustee

APPEARANCES:

Debtor: Rodney D. Shepherd
Trustee: Jana Pail

NOTES:

Shepherd: I am here because I felt like I should be, but the debtor told me she would be filing these motions on her own. I am still counsel of record. To my knowledge, Loan Depot has not taken any action with respect to foreclosure. There is no dispute that no payments have been made, but the debtor wanted to make clear that she will have sufficient assets to make the payment. She receives, or will receive, \$2,200 in social security which she believes she will still receive. She also will receive a \$700 pension, and has an \$11,000 loan from someone that is supposed to be paying her \$350 per month but which hasn't been since she was incarcerated. She claims that there is a sufficient amount of equity in the property that Loan Depot will not be prejudiced.

Court: Is there anything new to consider since the dismissal in April?

Shepherd: I do not believe so.

Court: The request also asked for 30 days to stay the dismissal and a stay of any enforcement action by creditors, but we are now almost 60 days removed and no action has apparently been taken. Does that not make this motion effectively moot?

Shepherd: You could say that she received the benefit that she was asking for.

OUTCOME:

1. The Motion to Reconsider [Dkt. No. 52] is denied (Chambers to Prepare).
2. The Motion for Automatic Stay [Dkt. No. 58] is denied (Chambers to Prepare).

DATED: 6/5/2019